

*Section 5*

*#3*

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE



Applicant : Arthur Sheiman, et al.  
Title of Invention : TIME VARYING FILTER WITH ZERO AND/OR POLE MIGRATION  
Filed : September 28, 2001  
Serial No. : 09/966,802  
Group Art Unit : Not Yet Assigned  
Examiner : Not Yet Assigned  
Attorney Docket No. : 024/46

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Box Missing Parts  
Commissioner for Patents  
Washington, DC 20231

Sir:

Enclosed please find a Petition for a One-Month Extension of Time to answer the attached Notice to File Missing Parts of Non-Provisional Application. Also enclosed please find a Declaration and Power of Attorney, an Assignment document and Recordation Cover Sheet, and our check made payable to the "Commissioner of Patents and Trademarks" in the amount of \$2,152.00.

Respectfully submitted,

KAPLAN & GILMAN, LLP  
900 Route 9 North  
Woodbridge, New Jersey 07095  
Telephone (732) 634-7634

DATED: January 10, 2002

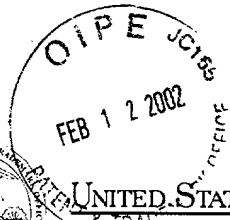
Aaron S. Haleva  
Reg. No. 44,733

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service as first class mail, in a postage prepaid envelope, addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on January 10, 2002.

Dated January 10, 2002 Signed Paula M. Halsey Print Name Paula M. Halsey

0966802-0400 2002-01-10



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Page 1 of 2

43

UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS  
UNITED STATES PATENT AND TRADEMARK OFFICE  
WASHINGTON DC 2023  
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/966,802	09/28/2001	Arthur Sheiman	024/46

27538  
KAPLAN & GILMAN, L.L.P.  
900 ROUTE 9 NORTH  
WOODBIDGE, NJ 07095

CONFIRMATION NO. 3100

FORMALITIES LETTER



\*OC000000007008090\*

Date Mailed 11/01/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

2/15/2002 SDIRETA1 00000003 09966802

FILED UNDER 37 CFR 1.53(b)

1 FC:101 740.00 OP  
2 FC:103 432.00 OP  
3 FC:102 420.00 OP  
4 FC:104 280.00 OP  
5 FC:105 130.00 OP

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a)

- The statutory basic filing fee is missing  
*Applicant must submit \$ 710 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27)*
- Total additional claim fee(s) for this application is \$1102
  - \$432 for 24 total claims over 20
  - \$400 for 5 independent claims over 3
  - \$270 for multiple dependent claim surcharge
- The oath or declaration is missing  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter
- **The balance due by applicant is \$ 1942.**

The following item(s) appear to have been **omitted** from the application

- Figure(s) 6 described in the specification.

I. Should applicant contend that the above-noted omitted item(s) was in fact deposited in the U S Patent and Trademark Office (USPTO) with the nonprovisional application papers, a copy of this Notice and a petition (and \$130.00 petition fee (37 CFR 1.17(h))) with evidence of such deposit **must** be filed within **TWO MONTHS** of the date of this Notice. The petition fee will be refunded if it is determined that the item(s) was received by the USPTO

II. Should applicant desire to supply the omitted item(s) and accept the date that such omitted item(s) was filed in the USPTO as the filing date of the above-identified application, a copy of this Notice, the omitted item(s) (with a

supplemental oath or declaration in compliance with 37 CFR 1.63 and 1.64 referring to such items), and a petition under 37 CFR 1.182 (with the \$130.00 petition fee (37 CFR 1.17(h)) requesting the later filing date **must** be filed within **TWO MONTHS** of the date of this Notice

III. The failure to file a petition (and petition fee) under the above options (I) or (II) within **TWO MONTHS** of the date of this Notice (37 CFR 1.181(f)) will be treated as a constructive acceptance by the applicant of the application as deposited in the USPTO. **THIS TWO MONTH PERIOD IS NOT EXTENDABLE UNDER 37 CFR 1.136(a) or (b)** In the absence of a timely filed petition in reply to this Notice, the application will maintain a filing date as of the date of deposit of the application papers in the USPTO, and original application papers (*i.e.* the original disclosure of the invention) will include only those application papers present in the USPTO on the date of deposit.

In the event that applicant elects not to take action pursuant to options (I) or (II) above (thereby constructively electing option (III)), amendment of the specification to renumber the pages consecutively and cancel incomplete sentences caused by any omitted page(s), and/or amendment of the specification to cancel all references to any omitted drawing(s), relabel the drawing figures to be numbered consecutively (if necessary), and correct the references in the specification to the drawing figures to correspond with any relabelled drawing figures, is required. Any drawing changes should be accompanied by a copy of the drawing figures showing the proposed changes in red ink. Such amendment and/or correction to the drawing figures, if necessary, should be by way of preliminary amendment submitted prior to the first Office action to avoid delays in the prosecution of the application.

*A copy of this notice MUST be returned with the reply.*

## Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE